

AGENDA
CITY OF ATLANTA BOARD OF ZONING ADJUSTMENT
Friday, October 21, 2005 AT 1:00 P.M.
ATLANTA CITY HALL COUNCIL CHAMBER, SECOND FLOOR

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NEW CASES

- V-05-285** Appeal of **Roy Mertz** of a decision of an administrative officer (i.e., a staff person) of the Bureau of Buildings to deny a sign permit on the basis that it exceeds the maximum allowed square footage. The property is located at **3800 PRINCETON LAKES COURT S.W.**, fronts 228 feet on the north side of Camp Creek Parkway, and begins 0 feet from the western corner of Princeton Lakes Parkway and Camp Creek Parkway. Zoned PD-MU (Planned Development Mixed-Use) District. Land Lot 1 of the 14th District, Fulton County, Georgia.
Owner: Verney E. Bentley
Council District 11, NPU-P
- V-05-234** Application of **David Fowler** for a variance from the zoning regulations to reduce the east side yard setback from the required 7 feet to 3.6 feet to allow for a screen porch addition to a single family house. The property is located at **1092 McLYNN AVENUE N.E.**, fronts 50 feet on the north side of McLynn Avenue, and begins 250 feet east of the northeastern corner of McLynn Avenue and Avalon Place. Zoned R-4 (Single- Family Residential) District. Land Lot 2 of the 17th District, Fulton County, Georgia.
Owner: Bob Ogma
Council District 6, NPU-F
- V-05-265** Application of **Michael Rodgers** for a variance from the zoning regulations to reduce the east side yard setbacks from the required 7 feet to 2.07 feet to allow for a porch enclosure and a detached garage. The property is located at **317 9TH STREET N.E.**, fronts 50 feet on the south side of Ninth Street, and begins 150 feet east of the southeastern corner of Ninth Street and Argonne Avenue. Zoned R-5 (Two-Family Residential) District. Land Lot 54 of the 17th District, Fulton County Georgia.
Owner: Michael Rodgers
Council District 6, NPU-E
- V-05-266** Application of **John Wesley** for a special exception from the zoning regulations to allow for a swimming pool in a yard adjacent to a street where such active recreation is otherwise prohibited. The property is located at **2969 ANDREWS DRIVE N.W.**, fronts 176.27 feet on the east side of Andrews Drive, and begins on the northeastern corner of Andrews Drive and Slayton Drive. Zoned R-2A (Single-Family Residential) District. Land Lot 113 of the 17th District, Fulton County, Georgia.
Owner: Paramount Property
Council District 8, NPU-B

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- V-05-267** Application of **Kevin J. Kastner** for a variance from the zoning regulations to reduce the west side yard setback from the required 7 feet to 6.8 feet to allow for an addition to a single family house. The property is located at **646 SHERWOOD ROAD N.E.**, fronts 64 feet on the north side of Sherwood Road, and begins 130 feet west of the northwestern corner of Sherwood Road and Cumberland Place. Zoned R-4 (Single-Family Residential) District. Land Lot 51 of the 17th District, Fulton County.
Owner: Kevin Kastner
Council District 6, NPU-F
- V-05-268** Application of **Johnathan Elmore** for a variance from the zoning regulations to 1) reduce the front yard setback from the required 35 feet to 29.02 feet and, 2) reduce the north side yard setback from the required 7 feet to 1.8 feet to allow for a second story addition to a single-family house. The property is located at **553 CANDLER STREET, N.E.**, fronts 48 feet on the east side of Candler Street, and begins 349 feet north of the northeastern corner of Euclid Avenue and Candler Street. Zoned R-4 (Single-Family Residential) District. Land Lot 240 of the 15th District, Dekalb County, Georgia.
Owner: Johnathan Berger
Council District 6, NPU-N
- V-05-269** Application of **Northbrooke Homes** for variances to reduce the half-depth front yard setback from the required 17.5 feet to 11.5 feet for the construction of a single-family house and 2) to increase coverage of the required half-depth front yard setback from the allowed maximum of 33% to 63%. The property is located at **862 ORMEWOOD AVENUE S.E.**, fronts 50 feet on the north side of Ormewood Avenue, and begins on the northeastern corner of Ormewood Avenue and Mercer Place. Zoned R-4 (Single-Family Residential) District. Land Lot 11 of the 14th District, Fulton County Georgia.
Owner: Susan Elliot & Northbrooke Homes Inc.
Council District 1, NPU-W
- V-05-270** Application of **Brent Pope** for a special exception from the zoning regulations to reduce the off-street parking requirement from the required 288 parking spaces to 121 parking spaces to allow for an addition to an existing warehouse. The property is located at **740 MARIETTA STREET N.W.**, fronts 147 feet on the south side of Marietta Street, and begins 125 feet east of the southeastern corner of Ponders Street and Marietta Street. Zoned I-1 (Light Industrial) District Land Lot 81 of the 14th District, Fulton County, Georgia.
Owner: The Salvation Army
Council District 2, NPU-E

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- V-05-271** Application of **Veronica Logsdon** for a variance from the zoning regulations to reduce the west side yard setback from the required 7 feet to 3 feet to allow for a second story addition to an existing single-family house. The property is located at **1160 REEDER CIRCLE N.E.**, fronts 60 feet on the north side of Reeder Circle, and begins 540 feet east of the northeastern corner of Reeder Circle and North Highland Avenue. Zoned R-4 (Single-Family Residential) District. Land Lot 2 of the 17th District, Fulton County, Georgia.
Owner: Brad & Allison Spickert
Council District 6, NPU-F
- V-05-272** Application of **Ted B. Jacobson** for 1) a special exception from the zoning regulations to allow for a shared driveway with properties located at 376-406 Ashwood Avenue where it is otherwise prohibited. 2) Applicant also seeks a variance from the zoning regulations to allow for parking pad in the required front yard where it is otherwise prohibited. The property is located at **412 ASHWOOD AVENUE S.W.**, fronts 60 feet on the south side of Ashwood Avenue, and begins 840 feet west of the southwestern corner of Ashwood Avenue and Pickfair Way. Zoned R-4 (Single-Family Residential) District. Land Lot 90 of the 14th District, Fulton County, Georgia.
Owner: Huntington Lakewood LLC
Council District 12, NPU-Y
- V-05-274** Application of **Valerie Taylor and Karl Jenkins** for a variance from the zoning regulations to reduce the half-depth front yard setback from the required 15 feet to 8 feet and 2) reduce the west side yard setback from the required 7 feet to 5 feet to allow for a room addition to an existing house. The property is located at **1224 MORTIMER PLACE S.E.**, fronts 40 feet on the north side of Mortimer Place, and begins on the northwestern corner of Mortimer Place and Battlefield Avenue. Zoned R-4A (Single-Family Residential) District. Land Lot 208 of the 15th District, Dekalb County, Georgia.
Owner: Valerie Taylor & Karl Jenkins
Council District 5, NPU-O
- V-05-275** Application of **Steve Cook** for a special exception from the zoning regulations to reduce the off-street parking requirement from the required 28 parking spaces to 18 parking spaces to allow for an addition to an existing retail building. The property is located at **100 East Andrews Drive N.W.**, fronts 67.5 feet on the south side of East Andrews Drive, and begins on the corner of East Andrews Drive and Paces Ferry Place. Zoned C-1 (Commercial Business) District. Land Lot 99 of the 17th District, Fulton County Georgia.
Owner: James B. Cumming
Council District 8, NPU-B

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- V-05-276** Application of **Eamaonn O'Dowd** for a variance from the zoning regulations to reduce the front yard setback from the required 35 feet to 33 feet to allow for a 2nd story addition to a single family residence. The property is located at **910 Cumberland Road N.E.**, fronts 143.28 feet on the north side of Cumberland Road, and begins 351 feet east of the northeastern corner of Cumberland Road and Morningside Drive. Zoned R-4 (Single-Family Residential) District. Land Lot 3 of the 17th District, Fulton County Georgia.
Owner: Eamonn O'Dowd
Council District 6, NPU-F
- V-05-277** Application of **City Storage Ponce De Leon, LLC** for a 1) special exception from the zoning regulations to reduce the parking requirement of 47 spaces to 7 spaces and 2) a variance from the zoning regulations to reduce the front yard setbacks from the required 40 feet to 8 feet for the construction of a self-storage facility. The property is located at **726 PONCE DE LEON PLACE N.E.**, fronts 50 feet on the west side of Ponce De Leon Place, and begins 171 feet north of the northwestern corner of Ponce De Leon Place and Ponce De Leon Avenue. Zoned I-1 (Light Industrial) District. Land Lot 17 of the 14th District, Fulton County, Georgia.
Owner: City Storage Ponce De Leon, LLC
Council District 6, NPU-F
- V-05-278** Application of **Patricia Zieseniss** for a variance from the zoning regulations to reduce the rear yard setback from the required 20 feet to 8 feet to allow for an accessory structure (a garden shed) addition to an existing single-family house. The property is located at **1099 BERKSHIRE ROAD N.E.**, fronts 70 feet on the south side of Berkshire Road, and begins 416 feet east of the southeastern corner of Berkshire Road and Barclay Place. Zoned R-3 (Single-Family Residential) District. Land Lot 3 of the 17th District, Fulton County, Georgia.
Owner: Ben Bunyard
Council District 6, NPU-F
- V-05-279** Application of **C.A. York** for a variance from the zoning regulations to reduce 1) the sidewalk width from the required 11 feet to 9 feet, 2) reduce the supplemental zone from the required 5 feet to 0 feet along Hartford Place, 3) reduce the south side yard setback from the required 20 feet to 0 feet, and 3) reduce the transitional rear yard setback from the required 20 feet to 15 feet to allow for the conversion of an existing industrial building to a multi-family development with a second story addition. The property is located at **1239 ALLENE AVENUE S.W.**, fronts 50 feet on the west side of Allene Avenue, and begins on the southwestern corner of Allene Avenue and Hartford Place. Zoned I-1 (Light-Industrial) District. (*Pending rezoning to LW(Live Work) District*). Land Lot 105 of the 14th District, Fulton County, Georgia.
Owner: Shirley R. Hansard
Council District 12, NPU-X

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- V-05-280** Application of **C.A. York** for a variance from the zoning regulations to reduce 1) the sidewalk width from the required 11 feet to 9 feet, 2) reduce the supplemental zone from the required 5 feet to 0 feet along Hartford Place for the conversion of an existing industrial building to a multi-family development with a second story addition. The properties are located at **1225 & 1229 ALLENE AVENUE S.W.**, fronting 50 feet each on the west side of Allene Avenue, and beginning on the northwestern corner of Allene Avenue and Hartford Place. Zoned I-1 (Light-Industrial) District (*Pending rezoning to LW (Live Work) District*). Land Lot 105 of the 14th District, Fulton County, Georgia.
Owner: Shirley R. Hansard
Council District 12, NPU-X
- V-05-281** Application of **Estrella Velazquez** for a variance from the zoning regulations to reduce the south side yard setback from the required 15 feet to 10 feet to allow for a second story addition to a single-family house and a second story addition to an attached garage. The property is located at **3327 CHATHAM ROAD N.W.**, fronts 112 feet on the east side of Chatham Road, and begins 243 feet south of the southeastern corner of Chatham Road and West Paces Ferry Road. Zoned R-2A (Single-Family Residential) District. Land Lot 114 of the 17th District, Fulton County, Georgia.
Owner: Elizabeth W. & Mark L. Feidler
Council District 8, NPU-B
- V-05-282** Application of **Henry Bryant** for a variance from the zoning regulations to reduce the west side yard setback from the required 7 feet to 5 feet to allow for a room addition to an existing single-family house. The property is located at **1346 METROPOLITAN AVENUE S.E.**, fronts 50 feet on the north side of Metropolitan Avenue, and begins 200 feet east of the northeastern corner of Metropolitan Avenue and Haas Avenue. Zoned R-4 (Single-Family Residential) District. Land Lot 177 of the 15th District, DeKalb County, Georgia.
Owners: W. Henry & Lynn Bryant and Daniel C & Donna E. Lichty
Council District 5, NPU-W
- V-05-283** Application of **Calvin Florian** for a variance from the zoning regulations to 1) reduce the front yard setback from the required 30 feet to 15 feet and 2) reduce the south side yard setback from the required 7 feet to 3 feet to allow for construction of a single-family house. The property is located at **225 CORLEY STREET N.E.**, fronts 40 feet on the east side of Corley Street, and begins 308 feet south of the southwestern corner of Corley Street and Highland Avenue. Zoned R-5 (Two-Family Residential) District. Land Lot 19 of the 14th District, Fulton County, Georgia.
Owner: Calvin Florian
Council District 2, NPU-M

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- V-05-284** Application of **Tivoli Properties, Inc.** for a variance from the zoning regulations to 1) encroach into the transitional height plane which is otherwise prohibited, and 2) to reduce the loading docks from the required 5 spaces to 1 spaces. The property is located at **2171 PEACHTREE ROAD N.E.**, fronts 62.55 feet on the east side of Peachtree Road, and begins 419.2 feet north of the northeastern corner of Peachtree Road and Peachtree Park Drive. Zoned C-3 (Commercial Residential) District. Land Lot 111 of the 17th District, Fulton County, Georgia.
Owner: Jamie Masda
Council District 7, NPU-E

DEFERRED CASES

- V-05-09** Application of **DeFoor Buckhead Partners, LLC** for variances from the zoning regulations to 1) reduce the northwestern side transitional buffer from the required 20 feet to 0 feet for a structure (i.e., retaining wall) and paving, and 2) reduce the transitional use distance for a drive-in facility from the required 100 feet to 72 feet, and for a special exceptions from the zoning regulations to 3) reduce the on-site parking from the required 79 spaces to 45 spaces and 4) reduce the number of loading spaces from the required 2 spaces to 1 space, for construction of a retail commercial building (i.e., a pharmacy). Property is located at **3658, 3674, 3678 (a.k.a. 3680) & 3692 ROSWELL ROAD, N.W.**, fronts 449 feet on the west side of Roswell Road, and begins at the northwest corner of Roswell Road and Blackland Road. Zoned C-1-C (Community Business-Conditional) District. Land Lot 97 of the 17th District, Fulton County, Georgia.
Owners: Robert M. McCaffrey as trustee of Virginia Lee McCaffrey, James Allison DeFoor, Leonard M. DeFoor, Nancy Lee Sullivan, Linda DeFoor Wickham, Marcus A. Cook III, Marcus A. Cook III as the executor of the estate of Dulcie DeFoor Cook, David Cormack Brittain and Katherine S. Brittain Bradley as co-executors for the estate of M.L. Brittain III, Janie Lee Home, Charles L. Cook, South Trust Bank as the trustee of H.L. DeFoor, and Leonard M. DeFoor and James A. DeFoor as co-trustees of Julia McNeel DeFoor for the benefit of Charles W. DeFoor III.
Council District 8, NPU-A

- V-05-197** Application of **David Bennett** for a variance from the zoning regulations to reduce the rear yard setbacks from the required 30 feet to 12 feet for the installation of a swimming pool. The property is located at **166 West Wesley Road N.W.**, fronts 100 feet on the south side of West Wesley Road, and begins 379.5 feet east of the southeastern corner of West Wesley Road and Habersham Road. Zoned R-2A (Single- Family Residential) District. Land Lot 112 of the 17th District, Fulton County, Georgia.
Owner: Fritz & Renee McPhail
Council District 7, NPU-B

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- V-05-198** Application of **Earl Thomas** for a variance from the zoning regulations to reduce the east side yard setback from the required 7 feet to 3 feet 6 inches for construction of a single- family house with attached carport. The property is located at **787 KNOX DRIVE S.E.**, fronts 67 feet on the south side of Knox Drive, and begins 203.6 feet west of the southwestern corner of Knox Drive and Lewis Road. Zoned R-4 (Single-Family Residential) District. Land Lot 26 of the 14th District, Fulton County, Georgia.
Owner: Earl Thomas
Council District 1, NPU-Z
- V-05-202** Application of **Thomas C. Brennan** for variances from the zoning regulations to 1) reduce the front yard setback from the required 35 feet to 24 feet and 2) reduce the north side yard setback from the required 7 feet to 3 feet to allow for an addition to a single- family house. The property is located at **2279 FAIRHAVEN CIRCLE N.E.**, fronts 50 feet on the east side of Fairhaven Circle, and begins 276 feet south of the southeastern of Fairhaven Circle and Peachtree Hills Avenue. Zoned R-4 (Single-Family Residential) District. Land Lot 102 of the 17th District, Fulton County, Georgia.
Owner: Thomas C. Brennan
Council District 7, NPU-B
- V-05-206** Application of **Serge Watson** for a variance from the zoning regulations to reduce the north side yard setback from the required 15 feet to 11 feet for a second story addition to a single family house. The property is located at **3130 HABERSHAM ROAD N.W.**, fronts 223 feet on the west side of Habersham Road, and begins 364 feet north of the northwestern corner of Habersham Road and East Pine Valley Road. Zoned R-2A (Single-Family Residential) District. Land Lot 114 of the 17th District, Fulton County Georgia.
Owner: Rich Sanders
Council District 8, NPU- C
- V-05-209** Application of **Michael Brown** for variances from the zoning regulations to 1) reduce the north side yard setback from the required 7 feet to 5 feet and 2) reduce the south side yard setback from the required 7 feet to 5 feet to allow for a new two- story single family house. The property is located at **162 WALNUT STREET S.W.**, fronts 37.3 feet on the east side of Walnut Street, and begins 325.3 feet north of the northeastern corner of Walnut Street and Fair Street. Zoned R4-A (Single-Family Residential) District. Land Lot 84 of the 14th District, Fulton County, Georgia.
Owner: Michael Brown
Council District 3, NPU-T